

AMENDMENT UNDER 37 C.F.R. § 1.111 AND
RESPONSE TO ELECTION OF SPECIES REQUIREMENT
U.S. Application No. 10/090,267

Attorney Docket No. Q68736

REMARKS

1. Interview Statement

The undersigned appreciates the Examiner's courtesy in granting the telephone interviews of October 31, 2006 and November 1, 2006 with the undersigned to discuss the outstanding Election of Species Requirement and Office Action of October 18, 2006, indicating that the claims as presented in the Amendment filed June 9, 2006 are drawn to a non-elected invention such that the Response to Election of Species Requirement filed July 27, 2006 is non-responsive.

In the telephone conference, the Examiner explained that independent claims 1, 15 and 45 amended so as to require selection of at least two conditions, one from a first group of conditions and a second from a second group of conditions, unduly expands the scope of examination.

In accordance with the Examiner's suggestion, claims 1, 15 and 45 have been amended to delete reference to the first group of conditions, namely, conditions (i) to (iii). Thus, as amended herein, for example, the ceramic dynamic-pressure bearing satisfies at least one of conditions (iv) and (v). Claims 15 and 45 were similarly amended. As suggested by the Examiner, claims 43 and 44 directed to a ceramic dynamic-pressure bearing meeting condition (iii) and without reference to condition (iv) have been cancelled without prejudice. Claims 47, 48 and 49 have been amended to conform with the amendments to claims 1, 15 and 45, respectively.

New claims 50-52 further limit the ceramic dynamic-pressure bearing of claim 1 to conditions (i) to (iii); new claims 53-55 limit the hard disk drive of claim 15 to one where the

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ceramic dynamic-pressure bearing satisfies one of conditions (i) to (iii); and new claims 56-58 limit claim 45 to a ceramic dynamic-pressure bearing which also satisfies one of conditions (i) to (iii).

Applicants acknowledge election of Species IV for prosecution (i.e., Fig. 8(d)), without traverse. Claims 1-28 and 45-58 read thereon. Applicants reserve the right to file a divisional application directed to non-elected and/or cancelled subject matter.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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